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NOV 20 2007

**UNITED STATES DISTRICT COURT FOR THE
 NORTHERN DISTRICT OF CALIFORNIA**

Alvaro C. Rodriguez

Plaintiff,

vs.

The State of California

Defendant.

No. C 07 - 04126 SI

**REQUEST FOR PERMISSION
 TO REPLY
 TO DEFENDANT'S ANSWER**

FOR

**CLARIFICATION OF
 COMPLAINT**

CLARIFICATION OF COMPLAINT

Plaintiff pleads for permission to clarify the complaint. The Independent Action on Collateral Attack on a state "Void Judgment" filed with this court is not a Civil Rights Action for Damages. This is a collateral attack on a state judgment that was obtained without jurisdiction. A "Void Judgment" may therefore be attacked in a collateral proceeding in another jurisdiction on the basis that it was rendered without jurisdiction. This court has jurisdiction pursuant to Title 28 U.S.C. § 1331, and Title 28 U.S.C. § 1343, to determine the validity of a state court judgment. This complaint seeks to have this court set aside the state judgment or declare the judgment invalidated for lack or want of subject- matter jurisdiction. A "Jurisdictional Challenge" has been presented to the state. It is up to the state, to prove that, the state complied with the laws and statutes applicable to this misdemeanor traffic citation case to invoke the jurisdiction of the municipal court. Strong, clear, and convincing evidence on the face of the record has been provided

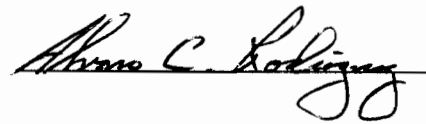
Submitting Counsel are directed
 to serve this order upon all other
 parties in this action

1 to prove that, state officials knowingly, willfully, and intentionally acted in the
 2 clear absence of all jurisdiction. The following three issues were presented for
 3 review: 1. Whether the state court lacked subject-matter jurisdiction. 2. Whether
 4 the plaintiff was denied due process of law. 3. Whether the state action amounts to
 5 fraud upon the court. These three issues have never been litigated or adjudicated on
 6 the merits in any state or federal court; not because they could have been presented
 7 and were not, but because of alleged intentional concealment by the state with the
 8 specific intent to avoid civil liability pursuant to Title 42 U.S.C. § 1983, and
 9 criminal liability pursuant to Title 18 U.S.C. § 241, § 242, for Deprivation of
 10 Rights Under Color of Law.

11 Plaintiff pro se seeks justice in this matter and knows that he was wrongfully
 12 deceived and convicted in a **non judicial process**, under false pretenses.

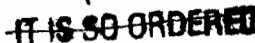
13 It is extremely important for this court to seek the truth in this matter.

14
15 Sincerely

16
17 
18

19 Alvaro C. Rodriguez

20 Pro Se

21 *This may be filed*
 22 **IT IS SO ORDERED**
 23 
 24 Susan Illston, Judge
 25 11/21/07
 26 Date
 27
 28